

FISCAL MEMORANDUM

HB 867 – SB 1196

April 20, 2007

SUMMARY OF AMENDMENT (006086): Names bill the “Johnia Berry Act of 2007”. Requires the arresting authority to collect DNA samples using a buccal swab collection kit for DNA testing from any person arrested for a violent felony on or after January 1, 2008, and forward such samples to the Tennessee Bureau of Investigation (TBI).

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Govt. Expenditures – Not Significant

Other Fiscal Impact – TBI received six new positions in FY06-07 to reduce an existing backlog in DNA analysis. Once this backlog has been eliminated, these positions can devote a portion of their time to analyzing new samples that will be collected under this bill. The number of positions available to analyze DNA samples determines the time required to analyze these samples. According to TBI, an additional five positions will be required under this bill to handle the additional workload within a reasonable time frame. The cost of these positions is \$1,023,300 recurring and \$282,800 one-time. If these new positions are not added, the legislation can still be implemented but the time required for analysis of samples will be longer.

By increasing the number of individuals from whom DNA evidence is collected, this bill may have the result of increasing convictions and the indirect impact of increasing state incarceration costs. This impact cannot reasonably be quantified because no reliable forecast of additional convictions can be made.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase Local Govt. Expenditures – Not Significant

Other Fiscal Impact – TBI received six new positions in FY06-07 to reduce an existing backlog in DNA analysis. Once this backlog has been eliminated, these positions can devote a portion of their time to analyzing new samples that will be collected under this bill. The number of positions available to analyze DNA samples determines the time required to analyze these samples. According to TBI, an additional five positions will be required under this bill to handle the additional workload within a reasonable time frame. The cost of these positions is \$511,650 recurring and \$282,800 one-time in FY07-08. In FY08-09 the cost of these positions will be \$1,023,300 recurring. If these new

positions are not added, the legislation can still be implemented but the time required for analysis of samples will be longer.

By increasing the number of individuals from whom DNA evidence is collected, this bill may have the result of increasing convictions and the indirect impact of increasing state incarceration costs. This impact cannot reasonably be quantified because no reliable forecast of additional convictions can be made.

Assumption applied to amendment:

- If such positions are added, requiring the arresting authority to collect the DNA samples beginning January 1, 2008, rather than July 1, 2007, will reduce the recurring costs in FY07-08 by 50%.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White".

James W. White, Executive Director

/LSC